

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

UNITED STATES OF AMERICA

CRIMINAL 7-20052(02)

VERSUS

JUDGE HAIK

ANTHONY ANTOINE BIRTHA

MAGISTRATE JUDGE HANNA

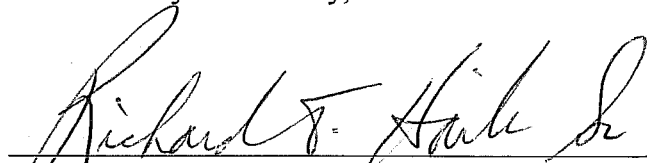
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**JUDGMENT**

The petitioner's motions, brought pursuant to 28 USC section 2255 to vacate, set aside, or correct his sentence (Doc. #492), the related request for an evidentiary hearing (Doc. #532), and the request for appointment of counsel (Doc. #556) were referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and consideration of the objections filed, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly, Petitioner's motion to vacate, set aside or correct his sentence under 28 USC section 2255 (Doc. #492) is hereby **DENIED** and **DISMISSED** with prejudice.

Petitioner's requests for an evidentiary hearing (Doc. #532) and for appointment of counsel (Doc. #556) are also **DENIED**.

THUS DONE and SIGNED on this 25<sup>th</sup> day of February, 2015.

  
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RICHARD T. HAIK, SR., DISTRICT JUDGE  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA